

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PETER A. HOCHSTEIN, ET AL.,

Plaintiffs,

CASE NO. 04-CV-73071

-VS-

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

MICROSOFT CORPORATION, ET AL.,

Defendants.

**ORDER (1) REVERSING THE COURT'S JUNE 28, 2007 ORDER DENYING
DEFENDANT SCEA'S MOTION FOR LEAVE TO FILE A SUPPLEMENTAL BRIEF;
(2) GRANTING DEFENDANT SCEA'S MOTION FOR LEAVE TO FILE A
SUPPLEMENTAL BRIEF; AND (3) PERMITTING PLAINTIFFS TO FILE A
SUPPLEMENTAL BRIEF IN RESPONSE**

Upon reconsideration of the Court's June 28, 2007 Order Denying Defendant SCEA's Motion for Leave to File a Supplemental Brief, the Court **REVERSES** the June 28 Order; **GRANTS** Defendant SCEA's June 25, 2007 Motion for Leave to File a Supplemental Brief (Doc. No. 233); and **PERMITS** Plaintiffs to file a Response brief, not to exceed five (5) pages, to address the possible relevance of the recent Federal Circuit decision *Biomedino, L.L.C. v. Waters Techs Corp.*, – F.3d –, 1732121 (Fed. Cir. June 18, 2007) to the instant case, within fourteen (14) days of this Order.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: July 27, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 27, 2007.

s/Denise Goodine

Case Manager